



**King County**

**Ron Sims**

King County Executive

**CHARTER REVIEW COMMISSION**

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**Regional Governance (RG) Subcommittee**

**King County Charter Review Commission**

**Meeting Minutes – February 25, 2008**

Chinook Building, 5:30 pm—7:30 pm

The February 25, 2008 meeting of the Regional Governance Subcommittee of the King County Charter Review Commission was called to order by Chair Doreen Cato at 5:30 p.m.

**Commission members in attendance:**

Bryan Glynn, Co-Chair  
Doreen Cato, Co-Chair  
Kirstin Haugen  
John Jensen  
Gary Long  
Gov. Mike Lowry  
Sharon Maeda  
Lois North  
Mike Wilkins

**Absent:**

Juan Bocanegra  
James Williams

**Staff:**

Becky Spithill, Project Manager, Charter Review Commission  
Mark Yango, Charter Review Coordinator

**Council and PAO Staff:**

Ross Baker, Council Chief of Staff  
Rebecha Cusack, Council Liaison to the Commission  
Mike Sinsky, Senior Deputy Prosecuting Attorney, Prosecuting Attorney's Office  
Grace Reamer, Staffer for Kathy Lambert  
Nick Wagner, Council Co-Liaison to the Commission

**Guests:**

Scott Sotebeer, Sheriff's Chief of staff  
Virginia Kirk, Sheriff's Office Liaison  
Sonny Putter, SCA

**1. Presentation of Regional Committees Working Group agreements and recommendations – Gary and Mike**

Mr. Long referenced a written report showing the consensus items coming out of the RCWG. It includes draft charter language that will need to be edited, but represents the substance of the agreed upon changes.

Mr. Wilkins talked about the changes:

- Reduce Council members to three, leave the other voting membership the same, and double the number of votes that councilmembers have; six votes for council and six votes for other members.
- Co-chairs of each of the regional committees with one appointed by council and other chair by non-council members.
- Right to set up own work program.
- Initiate motions and ordinances not assigned by council.
- Council has to take action on all proposed motions and ordinances coming from regional committees.

Agreement is not 100 percent firm; majority of members are okay with a couple of conditions, technical changes to the language; and a more detailed implementing ordinance to go with any charter changes. Commission should be able to have the package ready for final review and approval from the full commission at the end of March. Cities of Bellevue and Seattle have asked the CRC to adopt a new formula assigning city seats on the committees, whereby cities of a certain size qualify for a voting seat on the committees (1/8<sup>th</sup> of a vote). SCA doesn't support this proposal.

Mr. Wilkins was accurate the giving Bellevue a seat on the committees would require visible response from SCA. SCA's mission is to present a united front.

Mr. Wilkins suggested voting on tentative agreement. Mrs. Cato opens it up to Sonny Putter.

**MOTION:** Move agreement to the full commission with a tentative agreement on composition and function of the regional committees with an understanding that there will be technical changes to come and an accompanying ordinance.

**MOTION PASSED** unanimously [applause]

## **2. Sheriff's issues**

Ms. Spithill recommended that the subcommittee consider the following proposals submitted by the Sheriff, which was included on the agenda:

- Establish the King County Sheriff as the “chief peace officer of the county” (delete language in Section 320.20 Powers and Duties);
- Designate the King County Sheriff's Office as separate from the executive branch (add language in Section 350.20 Executive Departments and in Section 350.20.40 Department of Public Safety);
- Eliminate reference to the Department of Public Safety and replace it with “Sheriff's Office” and designate the office as neither an entity under the executive branch nor required to use the administrative offices of the executive departments (both delete and add language in Section 350.30.40 Department of Public Safety, and delete and add language in Section 920.20.20 Department of Public Safety);
- Reestablish the Civil Service Commission to increase the effectiveness of human resource functions in the Sheriff's Office (add a section to Article 570 The Personnel System to exempt the Sheriff's Office from provisions of it, and add a section to Article 9 Transitory Provisions and delete and add language in Section 970.50 Sheriff's Civil Service System; and
- Authorize the Sheriff's Office to negotiate and manage labor contracts, either in their entirety or provisions pertaining to working conditions only (add a new section to Article 8 General Provisions and add language to Section 890 Employee Representation).

Ms. Cato opened the meeting up to discussion on the issues. Mr. Glynn began discussions regarding the collective bargaining issue. Mr. Glynn provided draft text for charter changes and code changes that respond somewhat to the Sheriff's request. This charter amendment would not touch the language that makes the Executive the bargaining agent in collective bargaining and Mr. Glynn argued that someone has to have the final say. The term “agent” suggests that the individual can be instructed and guided, and the charter amendment is meant to do that and direct the council to pass an ordinance that provides more specific direction. The charter amendment should give the Sheriff more power. He respectfully asked to move this charter change to the full CRC.

Ms. Spithill presented additional information about the discrepancy between the information provided by HRD and the Sheriff's office. Some non-charter counties do allow their sheriffs to bargain operations conditions in their contracts. Mr. Jensen stated that research on other counties was not available (Note: research was handed out at 1/28 among materials on Sheriff's issues). Mr. Jensen said that the information from the sheriff's office appears to have been corroborated by this information. Ms. Spithill said that the issue of whether Sheriff participation in bargaining was legally required by the various county codes was still not clear, because none of the counties could cite to any such code section.

Mr. Jensen noted that Susie Slonecker disputed Mr. Vick's assertion that it would be unlawful to have separate individuals bargain a contract. Different individuals can bargain for one entity (the county). Mr. Jensen said that the Council approved the Sheriff's four-year operations plan that called for a charter amendment giving her authorization to bargain the labor contract.

Ms. Maeda recommended that the subcommittee work through the other proposal as well. Chief Peace officer implies something overarching, which would put other things in a different light. Mr. Glynn said that the question of the role of bargaining agents is something separate.

Mr. Long said that he is unclear about what is at stake in the chief peace officer designation. Ms. Spithill said that the Executive is concerned about emergency services leadership. Mr. Glynn said it may imply any number of things, but it seems intended to have symbolic importance, which may bring about unintended consequences.

Mr. Long said that the changes could be done without a charter amendment but if there is some measure of symbolic usefulness, then it might be worth putting in the charter. Mr. Glynn said the language is intended to send a signal to change the dynamic between the Executive and the Sheriff. It will set a tone so things can work better.

Mrs. North provided historical context about the difficulties and chaos of separately elected officials, and stated her desire not to see the balance of power disrupted. She said she would not support the Sheriff's proposed amendment.

Mr. Wilkins asked Mr. Glynn for clarification. The charter change would not change the bargaining authority but empowers the council to direct its bargaining agent by ordinance that deals with the practical balancing of interest in the process to ensure that elected officials have the opportunity for effective participation in bargaining.

Mr. Long and Mr. Wilkins said that they could support the change because it doesn't change the bargaining agent.

Ms. Cato asked for input from all the subcommittee members. Ms. Maeda agreed with Gary Long and supports the change. Gov. Lowry said he opposed bifurcated bargaining; in reading the Sheriff's letter, he understood the Sheriff's participation was inadequate and the amendment would improve things, but he also had concerns that if the commission did not take action, the council would. Mr. Jensen asked Ms. Cusack if the Council weighed in by its approval of the Sheriff's OMP. She said that their approval of the plan did not necessarily constitute an endorsement of specific items within the plan. Mr. Long said that he thought the amendment placed the authority for making the decision and improving the working relationships into the hands of the council. Mr. Glynn said that the commission identified that there is a problem and directs Council to develop an ordinance that will respond to the problem. Ms. Haugen said she was reluctant to take a stand on the issue.

Ms. Cusack noted the inconsistency in the Executive's position on Sheriff's bargaining authority and that of the Director of the Office of Management and Budget, who endorsed bifurcated bargaining during the development of the OMP.

MOTION: Mr. Long moved to accept Mr. Glynn's proposed changes to the amendment on collective bargaining. Mr. Wilkins seconded.

**MOTION PASSED** 6 for and 1 against and 1 abstention.

Gov. Lowry asked staff how the commission would present its report to council. Mr. Baker said that council recognizes the work that the commission has done and take under careful consideration of the recommendations and act on them in a thoughtful manner, moving them on to the voters this November or later.

Mr. Long stated that in terms of the other four proposals of the Sheriff's he was not prepared to act on any of them. The rest of the subcommittee agreed.

### **3. Budget Timeline (review of issue summary)**

Ms. Spithill reported that the Executive proposes a timeline of 60 days. Council sent a letter proposing 70 days. One of the issues Bob Cowan discussed had to do with time needed to pull together numbers for the development of the budget. Council responded that with the advent of biennial budgets the time needed to pull together numbers was not so onerous.

Mrs. North suggested splitting the difference, so that the timeline would be 65 days. Council definitely needs more time.

MOTION: Moved that the timeline be changed to 65 days.

**MOTION PASSED** unanimously.

Meeting adjourned at 7:05 pm.

Respectfully submitted by Becky Spithill